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Attorney for Petitioner,
ALFRED LEE GRAYSON

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

ALFRED LEE GRAYSON,)	No. Civ. S-03-1694 MCE KJM
)	
Petitioner,)	STIPULATION AND ORDER
)	FOR MODIFICATION OF
v.)	BRIEFING SCHEDULE
)	
TOM L. CAREY, Warden,)	
)	
Respondent.)	
)	

This matter is in the District Court after remand from the Ninth Circuit. Pursuant to the remand order, the court is to consider the issue of procedural default, and if there is no procedural default, is to evaluate the confrontation clause claim pursuant to *Ohio v. Roberts*, 448 U.S. 56 (1980).

The parties have previously stipulated to a briefing schedule. Petitioner's counsel has continued to work diligently to complete the briefing in this case, and has made substantial progress toward completion of the work. However, due to the complexity of the issues, and counsel's obligations toward completion of the opening brief in People v. In re Brian R. (5th Dist. No. F57971), and preparation for a preliminary hearing in People v. Ayob (Stanislaus County), counsel for petitioner needs an additional extension of time. In light thereof, the parties have stipulated to the modification of the briefing schedule. To afford counsel additional time needed to research and brief this matter, the parties hereby stipulate and agree that the court adopt the

1 following briefing schedule: petitioner's points and authorities will be due **February 4, 2010**,
2 respondent's points and authorities will be due **March 4, 2010**, and petitioner's reply will be due
3 on **April 4, 2010**.

4 DATED: January 13, 2010

/s/ Tim Warriner, Attorney for Petitioner,
ALFRED LEE GRAYSON

6 DATED: January 13, 2010

/ s/ Janis McLean, Deputy Attorney General,

8 ORDER

9 GOOD CAUSE APPEARING, and pursuant to the stipulation of the parties, it is hereby
10 ordered that petitioner's points and authorities will be due February 4, 2010, respondent's points
11 and authorities will be due March 4, 2010, and petitioner's reply will be due on April 4, 2010.
12 No further extensions will be granted.

13 DATED: January 15, 2010.

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15 U.S. MAGISTRATE JUDGE
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